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11-2-01

PATENT
Attorney Docket No.: 4329.2620

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

HIROSHI NOMURA ET AL.

Serial No.: 09/923,443

Group Art Unit: Unknown

Filed: August 8, 2001

Examiner: Unknown

For: EVALUATION MASK, FOCUS
MEASURING METHOD AND
ABERRATION MEASURING
METHOD

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed within three months of the filing date of the above-referenced application.

Copies of the listed documents are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

LAW OFFICES
FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000

Following is a concise statement of relevance of the non-English language document:

Japanese Publication No. 11-237310 is discussed at page 28, lines 23-27, of the present application.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under U.S. law, Applicants reserve the right to present to the Patent Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

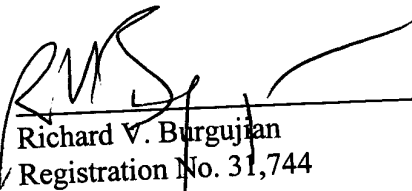
Respectfully submitted,

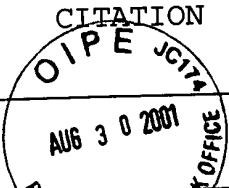
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Date:

8/29/01

By:


Richard V. Burgujian
Registration No. 31,744

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| INFORMATION DISCLOSURE CITATION  | Atty. Docket No. | Serial No. |
| | 4329.2620 | 09/923,443 |
| | Applicant | |
| | Nomura et al. | |
| | Filing Date | Group |
| | August 8, 2001 | Unknown |

U.S. PATENT DOCUMENTS

| *Examiner Initial | Document Number | Date | Name | Class | Sub- Class | Filing Date |
|----------------------|--------------------|------|------|-------|---------------|----------------|
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FOREIGN PATENT DOCUMENTS

| *Examiner Initial | Document Number | Date | Country | Class | Sub- Class | Translation | |
|----------------------|--------------------|---------|---------|-------|---------------|-------------|----|
| | | | | | | Yes | No |
| | 11-237310 | 8/31/99 | Japan | | | | XX |
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

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| | Kirk, "Astigmatism and field curvature from pin-bars," March 6-8, 1991, SPIE, 1463:282-291 |
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| Examiner | Date Considered |
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* Examiner: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.